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UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

Chambers of
BENSON EVERETT LEGG
United States District Judge

101 West Lombard Street
Baltimore, Maryland 21201
(410) 962-0723

2002-11-06 P 3:11

November 4, 2002

MEMORANDUM TO COUNSEL RE: U.S. Bank Trust National Assoc. v. Compass Capital Corporation, et al.
Civil #L-99-2563

Compass Capital Corporation v. U.S. Bank Trust National Assoc.
Civil #L-02-1752

Dear Counsel:

On October 31st, the Court held a teleconference. This memo is to confirm the substance of the decisions made during the teleconference. The Court ruled as follows:

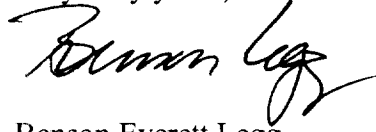
- (i) on or before February 28, 2003, the parties will submit a Joint Status Report, which should include (a) a list of witnesses expected to testify live and (b) whether there are any problems that need be addressed in a Pretrial Conference;
- (ii) on or before March 14th, the parties will jointly submit exhibits and deposition extracts for the Court to read in lieu of live testimony. Counsel shall note any objections to exhibits and to transcript designations, and the Court will rule on the objections at trial; and
- (iii) the Trial will begin on March 31st at 10:00 a.m.

During the teleconference, Mr. Levin, counsel for Compass Capital, asked the Court to order discovery into the insurance held by Metropolitan Bank, which Mr. Levin contends would offset his client's potential liability. The Bank objected to this line of inquiry. Regarding the E & O insurance, Mr. Gebhardt is to state in writing that no claims have been made on that policy. Mr. Levin is to send a letter to Mr. Gebhardt explaining the additional discovery he requests and why it is germane. Mr. Gebhardt will respond. If there is disagreement, Mr. Levin may file a motion to compel.

JE

Despite the informal nature of this memorandum, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.

Very truly yours,

A handwritten signature in black ink, appearing to read "Benson Legg", with a stylized flourish at the end.

Benson Everett Legg

c: Court file